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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----x
4 UNITED STATES OF AMERICA,

5 v.

20 CR 330 (AJN)

6 GHISLAINE MAXWELL,

7 Defendant.

Jury Trial

8 -----x

9 New York, N.Y.
10 December 22, 2021
11 3:41 p.m.

12 Before:

13 HON. ALISON J. NATHAN,

14 District Judge

15 APPEARANCES

16 DAMIAN WILLIAMS

17 United States Attorney for the
18 Southern District of New York

19 BY: MAURENE COMEY

20 ALISON MOE

21 LARA POMERANTZ

22 ANDREW ROHRBACH

23 Assistant United States Attorneys

24 HADDON MORGAN AND FOREMAN

25 Attorneys for Defendant

BY: JEFFREY S. PAGLIUCA

LAURA A. MENNINGER

-and-

BOBBI C. STERNHEIM

-and-

COHEN & GRESSER

BY: CHRISTIAN R. EVERDELL

Also Present: Amanda Young, FBI

Paul Byrne, NYPD

Sunny Drescher,

Paralegal, U.S. Attorney's Office

Ann Lundberg,

Paralegal, Haddon Morgan and Foreman

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1 (Jury not present)

2 THE COURT: Good afternoon, everyone. We haven't
3 heard anything from the jury, so I think it is time to consider
4 putting in a note regarding tomorrow since we don't have a
5 response on that. So the note I have drafted, with your input,
6 let me know, "Hello, jury. If your deliberations are not
7 completed today, do you wish to deliberate tomorrow, Thursday,
8 December 23rd?" And then I have a box for "yes" and a box for
9 "no." "Please check yes or no. If yes, what time would you
10 like to deliberate from? Blank a.m. to blank p.m. Judge
11 Nathan."

12 Any thoughts or requests?

13 MS. COMEY: Seems perfect.

14 MS. STERNHEIM: Fine. Thank you.

15 THE COURT: What I'll do is we'll send that in and I
16 think everybody just wait, my assumption is it will come right
17 back out and we'll reconvene. I'll see you in a moment.

18 (Recess)

19 THE COURT: As that went in, a note came out. So I
20 don't have a response yet, but I have a note.

21 "May we please have the following testimonies in a
22 binder." The first one is Jane, Wong, Kate. There is
23 something else written next to Jane.

24 MS. STERNHEIM: Judge, I'm not reading the note, but
25 they got Jane. It wasn't in a binder.

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1 THE COURT: Well, fair enough. Fair enough. I don't
2 know if they're asking for another copy.

3 MS. STERNHEIM: Or with holes in it, at least.

4 THE COURT: I'll show it to you there. Next to Jane,
5 it says -- oh, I think maybe, Ms. Sternheim, you've intuited.
6 In parentheses, it says, "Being returned," crossed out, and
7 then it says, "No."

8 MS. STERNHEIM: Judge, of the three testimonies they
9 got, Jane was the last and it was Juan in a binder. The other
10 two were in binders.

11 THE COURT: I see. I see. I didn't know that.

12 MS. STERNHEIM: It was in the rush of trying to get it
13 to them quickly.

14 THE COURT: Well, we could dispute that, but -- so I
15 guess, because they didn't return it, I guess they are asking
16 for another copy, three-hole punched and in a binder, in
17 addition, Juan and Kate. My clerk will show you the note if
18 you'd like to see it.

19 MS. COMEY: That's fine, your Honor. I believe
20 Ms. Drescher is going to print out those transcripts right now
21 with the agreed-upon redactions and we'll hole punch them and
22 put them in binders.

23 THE COURT: Okay. I think the response is coming out,
24 so we'll just sit tight for a minute.

25 (Pause)

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1 The response is, "No, thank you." Asterisk, "Jurors
2 have made plans for tomorrow."

3 So, we will get them what they've asked for as quickly
4 as possible. And then, everyone, please be ready to go at
5 4:25. We'll bring them out for dismissal.

6 I had one quick additional point I wanted to make
7 about the request yesterday for the question regarding Annie's
8 testimony and the request from the defense was to also put in
9 the limiting instruction. I wanted to note that the limiting
10 instruction went in on the transcript of Annie's testimony, as
11 well. So they did have that.

12 All right. Anything to address, Ms. Comey?

13 MS. COMEY: No, your Honor.

14 THE COURT: Ms. Sternheim?

15 MS. STERNHEIM: No, thank you.

16 THE COURT: We'll see everyone at 4:25 unless we hear
17 anything further. As soon as you have the materials, give them
18 to Ms. Williams, please. Thank you.

19 (Recess)

20 THE COURT: Any matters to take up before we bring
21 them to dismiss them?

22 MS. COMEY: No, your Honor.

23 MS. STERNHEIM: No, thank you.

24 THE COURT: Okay. Bring in the jury, please.

25 (Continued on next page)

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1 (Jury present)

2 THE COURT: Thank you, members of the jury. I did get
3 your note that you declined my invitation to deliberate
4 tomorrow. We had assumed trial would be proceeding and I
5 wanted to give you the option to deliberate tomorrow, but
6 understand you have plans.

7 We will resume Monday at 9:00 a.m. Same instructions
8 as previously indicated. As soon as all 12 of you are there,
9 you may deliberate. Before then, please wait until all 12 of
10 you are there.

11 Please stay safe over the long weekend. Obviously
12 we've got the variant and I need all of you here and healthy on
13 Monday. So please take good care and take cautions.

14 Somewhat related to that, the district is going to
15 announce some new protocols on Monday, including specific mask
16 requirements. So the district is going to require everybody to
17 wear either N95s or KN95s or KF94s to be in the courthouse.
18 We'll supply those for you. We'll have supplies on Monday.
19 You're also welcome to take some for the long weekend if you'd
20 like those to help be cautious.

21 It's a long weekend, it's a holiday, it's imperative
22 that you continue to follow my orders regarding the rules in
23 this case as I know that you have, but I have to repeat it.
24 It's critical that you, outside of deliberations, don't discuss
25 this case with each other or anyone else. No consumption of

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1 any media of any kind through any means about the case and no
2 communications through any means about the case. Continue to
3 keep an open mind until you resume your deliberations on
4 Monday, the 12 of you.

5 If you have any issues that arise regarding either
6 COVID or any issues of concern, you contact Ms. Williams and
7 she'll communicate to me if there are any issues.

8 I wish you a very happy holiday, a restful time with
9 your families, and we'll see you on Monday. Thank you so much.
10 Happy holidays.

11 (Continued on next page)

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1 (Jury not present)

2 THE COURT: Any matters to take up, counsel?

3 MS. COMEY: No. Thank you, your Honor.

4 MS. STERNHEIM: No. Thank you.

5 THE COURT: You heard the announcement that's about to
6 be forthcoming regarding the masking rules. So that will be
7 true for everyone. Come Monday, we'll have supplies if needed.
8 And please take my words of caution, as well. I need -- well,
9 I don't need all of you, but I need most of you back here on
10 Monday. In the meantime, happy holidays. See you Monday.

11 (Adjourned to December 27, 2021 at 9:00 a.m.)

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